

HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE WASHINGTON MUTUAL  
MORTGAGE BACKED SECURITIES  
LITIGATION

This Document Relates to: ALL CASES

Master Case No. 2:09-cv-00037-MJP

**STIPULATED MOTION  
ESTABLISHING BRIEFING  
SCHEDULE ON DEFENDANTS'  
MOTION FOR JUDGMENT ON THE  
PLEADINGS; ORDER**

**NOTE ON MOTION CALENDAR:  
JULY 5, 2011**

**I. STIPULATION**

On June 22, 2011, Defendants filed their opposition to Plaintiffs' pending motion for class certification. Defendants' opposition raised, *inter alia*, the issue of whether certain tranches of the Offerings at issue in this case are properly included in the proposed class. Plaintiffs' reply in further support of their motion for class certification is due on July 27, 2011.

On June 30, 2011, Defendants filed a motion for judgment on the pleadings concerning a similar issue as to whether the action may be maintained on behalf of those

STIPULATED MOTION ESTABLISHING BRIEFING SCHEDULE  
ON DEFENDANTS' MOTION FOR JUDGMENT ON THE PLEADINGS;  
ORDER - 1  
(NO. 2:09-CV-0037-MJP)

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1 same tranches, or whether the court should enter judgment adverse to those claims. The  
2 motion for judgment on the pleadings is currently noticed for July 22, 2011.

3 Following a meet and confer call on July 1, 2011, during which the related nature of  
4 the motion for judgment on the pleadings and Plaintiffs' reply in support of class certification  
5 was discussed, the parties agreed that Plaintiffs' response to the motion for judgment on the  
6 pleadings should be filed contemporaneously with their reply in further support of their  
7 motion for class certification. As such, the parties agree that:

- 8 • The time for Plaintiffs' opposition to the motion for judgment on the  
9 pleadings [Dkt No. 259] is extended until July 27, 2011
- 10 • The time for Defendants' reply in further support of their motion for judgment  
11 on the pleadings is extended until August 3, 2011
- 12 • The noting date for Defendant's motion for judgment on the pleadings will be  
13 re-noted from July 22, 2011 to August 3, 2011

14 Should the Court grant the parties' stipulated motion, the remaining deadlines set in  
15 the October 29, 2010 Scheduling Order (Dkt no. 207) will not be affected, nor will the  
16 requested extension delay the completion of other discovery or delay any other aspect of this  
17 action. Notably, fact discovery does not close until December 1, 2011, and the parties are  
18 conducting non-class related fact discovery at the same time as class-certification related  
19 discovery and briefing.

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1 Dated: July 5, 2011

Respectfully submitted,

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4 **II. ORDER**

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6 **IT IS SO ORDERED.**

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8 Dated: July 7, 2011

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Marsha J. Pechman  
United States District Judge